



GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

3650 SCHRIEVER AVENUE
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February 8, 2007

TO: VERTICAL PROSECUTION BLOCK GRANT PROGRAM
PROJECT DIRECTORS

SUBJECT: Request for Application (RFA) Vertical Prosecution Block Grant

The Governor's Office of Emergency Services (OES) is pleased to announce the release of the RFA for the Vertical Prosecution Block Grant Program.

The total amount available for the Vertical Prosecution Program through State General Funds in State Fiscal Year (SFY) 2007/08 is anticipated to be \$16,176,000. The grant award period will be for 12 months beginning July 1, 2007 and ending June 30, 2008. Please note continuation funding is contingent on the availability of State General Funds and the passing of the SFY 07/08 State budget. All applicants must have previous successful project performance, and compliance with the grant award agreement.

To be considered for continuation funding, applicants must complete the enclosed materials and submit them no later than 5:00 p.m. on **Thursday, March 22, 2007**.

A copy of the RFA can be obtained from the OES website at www.oes.ca.gov by following these steps: select OES Divisions and Regions, Law Enforcement and Victim Services Division, RFA Funding Information. This document is designed to be interactive electronically with fillable forms. However, users will need to use Adobe Acrobat 7.0 in order to save the text of their applications. Users will be able to complete and print forms using Adobe Reader 7.0, but will be unable to save their completed forms without Adobe Acrobat 7.0.

Applications must be postmarked by 5:00 p.m. on **Thursday March 22, 2007** to:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: Gang Violence Section – VB Application

Should you need assistance with this application, please contact Laurie Ballard, Senior Program Specialist, Gang Violence Section, via e-mail at Laurie.Ballard@oes.ca.gov, or by telephone at (916) 323-7724.

Sincerely,

GINA BUCCIERI-HARRINGTON, Chief
Gang Violence and Counter-Drug Procurement Section

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION
VERTICAL PROSECUTION BLOCK GRANT PROGRAM
REQUEST FOR APPLICATION**

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III. [FORMS](#) - Click (FORMS) to get the required forms listed below, **or** go to www.oes.ca.gov and select *Recipient Handbook, Appendices, and Forms*, **or** paste the following link into your browser:
www.oes.ca.gov/Operational/OESHome.nsf/CJPDHome?OpenForm

[APPLICATION CHECKLIST AND REQUIRED SEQUENCE](#)

[APPLICATION COVER SHEET](#)

GRANT AWARD FACE SHEET AND INSTRUCTIONS

PROJECT CONTACT INSTRUCTIONS AND INFORMATION

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CERTIFICATION OF ASSURANCE OF COMPLIANCE

PROJECT NARRATIVE

APPLICATION BUDGET – BUDGET NARRATIVE

BUDGET FORMS (Excel spreadsheet format) - Without Match

Personal Services – Salaries/Employee Benefits

Operating Expenses

Equipment

PROJECT SUMMARY

PROJECT SERVICE AREA INFORMATION

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**VERTICAL PROSECUTION BLOCK GRANT PROGRAM
REQUEST FOR APPLICATION**

PART I – INFORMATION

A. INTRODUCTION

This Request for Application (RFA) provides the information and forms necessary to prepare an application for the Governor's Office of Emergency Services (OES) grant funds. The terms and conditions described in this RFA supersede previous RFAs and conflicting provisions stated in the *Recipient Handbook*. The *Recipient Handbook* provides helpful information for developing the application and can be accessed at the website www.oes.ca.gov by selecting "Recipient Handbook Appendices and Forms."

B. CONTACT INFORMATION

Questions concerning this RFA, the application process, or programmatic issues should be submitted to the below contact person by telephone, or e-mail.

**Laurie Ballard
Gang Violence Section
(916) 323-7724
Laurie.Ballard@oes.ca.gov**

C. APPLICATION DUE DATE AND SUBMISSION OPTIONS

One original and one copy of the application must be delivered to OES' Law Enforcement and Victim Services Division by the date and time indicated below. Submission options are:

1. Regular and Overnight mail, **postmarked by Thursday, March 22, 2007** to:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: Gang Violence Section – VB Application

2. Hand delivered by **5:00 p.m. on Thursday, March 22, 2007** to:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: Gang Violence Section – VB Application

D. ELIGIBILITY

To be eligible for funding in the Vertical Prosecution Block (VB) Program, the applicant must be a County District Attorney's Office in California. Counties opting to decline FY 2007/08 VB Program funds MUST return the Waiver of FY 2007/08 Program funding form included as Appendix A of this RFA. Grantees desiring to submit late applications MUST provide a written request for an extension thirty days before the application due date indicated above. OES reserves the right to reallocate funds of grantee agencies that fail to obtain a written extension within the thirty-day grace period.

E. FUNDS

OES anticipates a total of \$16,176,000 will be made available from the State General Fund for the VB Program during FY 2007/08. Funding for subsequent years is subject to continued appropriation in the state budget and satisfactory performance in meeting program intent. Participating counties must budget funds for a twelve (12) month grant period, beginning July 1, 2007 and ending June 30, 2008. The attached chart outlines the non-competitive funding levels available for distribution during FY 2007/08 as stated in the application appendix – Section II, C.

F. PROGRAM INFORMATION

The California State Budget Act of 2003/04 combined the five general funded Vertical Prosecution Programs administered through OES into one Block Program with five designated components. Each component is consistent with one of the five combined programs: Child Abuse Vertical Prosecution (CAVP) Program; Statutory Rape Vertical Prosecution (SRVP) Program; Elder Abuse Vertical Prosecution (EAVP) Program; Major Narcotic Vendor Prosecution (MNVP) Program; and Career Criminal Prosecution (CCP) Program. In order to receive funding under the new VP Program, counties must choose to prosecute crimes defined within one or more of the five program components.

1. Vertical Prosecution Overview

Vertical prosecution is a proven program model, which involves the use of highly experienced and skilled prosecutors who prosecute a reduced caseload of specific types of serious criminal cases from the filing of the case through sentencing. As resources allow, it is recommended a vertical prosecution team consist of a prosecutor, experienced investigator, and an advocate working in conjunction with each other.

2. Administrative Authority

The California State Budget Act of 2003/04 initially authorized the VB Program. Within the VB Program, individual components are governed by legislative mandates as summarized below:

a. CAVP Program

The CAVP Program was authorized by Assembly Bill (AB) 33 (Chapter 1097 of the Statute of 1985). The current statute is reflected in Title VI, Part 2 of the California Penal Code (PC), Chapter 2.4, Sections (§) 999q to 999y. Legislation was chaptered August 31, 2001 (AB 929) expanding the scope of the CAVP Program to include all types of abuse, not just sexual.

b. EAVP Program

Prior to being folded into the VB Program, the EAVP Program was established as a stand-alone program by the California State Budget Act of 1999/00. The crimes acceptable for prosecution under the EAVP Program are defined in California PC §368.

c. MNVP Program

Senate Bill (SB) 1982, (Chapter 1424, Statutes of 1984) added Chapter 9 to Title 6, Part 4, of the California Penal Code. Chapter 9, titled California MNVP Law, was effective September 26, 1984. The Chapter was amended by AB 2313, (Chapter 306, Statutes of 1987), to recognize the need to financially assist small counties (population under 200,000) in meeting the criminal justice needs associated with the production, distribution and sale of illegal drugs.

Chapter 9 includes Health and Safety (H&S) Code §13880 to 13884. The Legislature declared that the production and sale of narcotics is a consistent problem in California. It stated that substantial and disproportionate amounts of serious crime are associated with the cultivation, processing, manufacturing and sale of narcotics. The law was established to "support intensified efforts by district attorneys' offices to prosecute drug producers and sellers through organizational and operational techniques that have been proven effective..."

d. CCP Program

In 1977, the Governor of California signed into law Chapter 1151, Statutes of 1977, establishing the CCP Program in accordance with PC §999b to 999h.

e. SRVP Program

Prior to being folded into the VB Program, the SRVP Program was established as a stand-alone program by the California State Budget Act of 1996/97. The crimes acceptable for prosecution under the SRVP Program are defined in California PC §261.5.

VB Program Requirements

a. Vertical Prosecution

The project will perform vertical prosecution, whereby the prosecutor (or unit) who makes the initial filing or appearance in a case accepted by the vertical prosecution unit, makes all subsequent court appearances on that particular case through its conclusion, including sentencing.

To allow for the realities of case management such as scheduling conflicts, illness and extraordinary events, OES recognizes three degrees of vertical prosecution as follows:

- True Vertical Prosecution: The same prosecutor filed the charges, **or** made the first appearance, after the crime was identified as a project appropriate offense, **and** made all subsequent court appearances through the sentencing stage.

- Major Stage Vertical Prosecution: The same prosecutor that filed the charges, or made the first appearance, after the crime was identified as a project appropriate offense, makes all subsequent major appearances through the sentencing stage. Major stages include: preliminary hearing; trial; sentencing; and all significant appearances, such as contested motions affecting bail; admissibility of evidence; dismissal of charges; change of venue; motions to sever or consolidate; discovery; set-aside the verdict; or motions concerning search warrants.
- Unit Vertical Prosecution: Based upon extraordinary circumstances such as: court conflicts; scheduling conflicts requiring appearances at two (2) or more places at one time; geographic location of hearing; illness; or absence due to unavoidable circumstances; the principal prosecutor (prosecutor who filed the charges, or made the first appearance, after the crime was identified as a project appropriate offense) is assisted by no more than one other unit attorney. A back-up attorney may be designated for the grant award period.

b. Highly Qualified Prosecutors and Investigators

The assignment of highly qualified prosecutors and investigators to vertical prosecution cases:

The Legislature has defined “highly qualified” as persons with at least one year of experience in the prosecution, or as appropriate, investigation of felonies, or those who have been selected to receive specified training, or individuals who have attended equivalent training approved by OES.

OES requires projects to establish a personnel rotational policy for vertical prosecution staff, which demonstrates a commitment to stability and continuity of staff assignments. OES further requires vertical prosecution staff be assigned exclusively to a minimum of one of the five program components. Positions may be split funded with duties other than one of the five program component areas, only when grant funds are insufficient to support full-time staff positions.

c. Reduction in Caseload

A significant reduction in caseload for prosecutors and investigators assigned to vertical prosecution cases:

OES requires each funded District Attorney’s Office develop a written policy regarding appropriate caseload levels for prosecutors and investigators assigned to a vertical prosecution unit. This policy must address the caseload level, a caseload comparison between vertical prosecution unit prosecutors and investigators, and felony non-unit prosecutors and investigators, as well as how cases beyond established levels will be prosecuted.

d. Policies for Vertical Prosecution Units

Each District Attorney’s office establishing a vertical prosecution unit(s) and receiving state support under this chapter, shall adopt and pursue the following policies:

- 1) All reasonable prosecutorial efforts will be made to resist the pretrial release of a charged defendant meeting program priority selection criteria.

- 2) Nothing in this chapter shall be construed to limit the application of diversion programs authorized by law. All reasonable efforts shall be made to utilize diversion alternatives in appropriate cases.
- 3) All reasonable prosecutorial efforts will be made to reduce the time between arrest and disposition of charges against an individual meeting program priority criteria.

OES requires all policies developed in conjunction with the foregoing principles be in writing and available to unit staff and OES. These policies should be reviewed periodically to ensure they reflect current concepts and applicability. The existence and evaluation of the current written policy regarding the foregoing will be considered when determining compliance with these objectives.

VERTICAL PROSECUTION COMPONENT SPECIFIC REQUIREMENTS

1. CAVP Component

The CAVP Program was authorized by AB 33 (Chapter 1097 of the Statutes of 1985). The current statute is reflected in Title VI, Part 2 of the California Penal Code, Chapter 2.4, §999q through §999y. Legislation was chaptered August 31, 2001 (AB 929) expanding the scope of the CAVP Program to include all types of abuse, not just sexual.

Each District Attorney's office establishing a CAVP unit shall concentrate prosecution efforts and resources upon individuals identified under selection criteria set forth in PC §999t.

a. Subjects of CAVP Efforts (PC §999t)

An individual is subject to prosecution under PC §999t, subdivision (a), if he/she is charged with felony assault of a child under the age of 18 years, and is being prosecuted for one or more of the following violations:

- the sexual abuse of a child as defined in PC §11165 *et seq.*;
- endangering a child or causing or permitting a child to suffer physical pain, mental suffering, or injury as defined in PC §273a, subdivisions (a) and (b);
- assault resulting in death of a child under eight years of age as defined in PC §273ab;
- infliction of corporal punishment or injury on a child resulting in a traumatic condition as defined in PC §273d; or
- sending harmful matter to a minor by telephone messages, electronic mail, Internet or commercial online service as defined in PC §288.2 when committed in conjunction with any other violation listed above.

The CAVP Advisory Group recommended additional charges to fulfill the intent of the CAVP Program. These charges included assault with intent to rape (PC §220), sexual battery (PC §243.4), aggravated assault on a child (PC §269), and violation of probation.

In applying the child abuse selection criteria set forth above:

- 1) A District Attorney may elect to limit child abuse prosecution efforts to persons arrested for any one or more of the offenses described in subdivision (a) if crime statistics demonstrate that the incidence of one or more offenses presents a particularly serious problem in the county;

- 2) A District Attorney shall not reject cases for filing exclusively on the basis that there is a family or personal relationship between the victim and the alleged offender.

b. Prosecution Discretion (PC §999v)

In exercising the prosecutorial discretion granted by PC §999v, the District Attorney shall consider the character, the background, and the prior criminal background of the defendant.

c. Coordination

Coordination, referral, and training with local community agencies providing services to victims of crime, such as rape counseling and child abuse programs are required for CAVP units. CAVP units are legislatively required to participate and hold membership in local task forces established to improve communication between criminal justice and community service agencies. Projects choosing this component must inform OES if their county has a protocol for the investigation of child abuse and neglect cases, and if not, when they anticipate the protocol to be completed.

d. Departure from Selection Criteria Under Extraordinary Circumstances (PC §999v)

The selection criteria set forth in PC §999t shall be adhered to for each child abuse case unless, in the reasonable exercise of the prosecutor's discretion, extraordinary circumstances require departure from such policies in order to promote the general purposes and intent of this chapter.

2. CCP Component

The goal of the CCP component is to support increased efforts by District Attorney's offices to prosecute career criminals through organizational and operational techniques that have been proven to be effective. The current statutes are reflected in PC §999b - 999g.

a. Subjects of CCP Efforts

Persons subject to career criminal prosecution efforts are defined in PC §999e as individuals under arrest for the commission or attempted commission of one or more of the following felonies:

- robbery;
- burglary;
- arson;
- any unlawful act relating to controlled substances in violation of H&S Code §11351, §11351.5, §11352, or §11378;
- receiving stolen property;
- grand theft;
- grand theft auto;
- lewd or lascivious conduct upon a child;
- carjacking;
- murder;
- manslaughter;
- rape;
- sexual assault;

- child molestation;
- assault with a firearm;
- discharging a firearm into an inhabited structure or vehicle; or
- owning, possessing or having custody or control of a firearm; as specified in subdivisions (a) and (b) of PC §12021; and who is either being prosecuted for three or more separate offenses not arising out of the same transaction involving one or more of those felonies, or meets the criteria in (1) or (2) below.

The charged individual has at least one conviction during the preceding ten years for any felony listed below:

- robbery of the first degree;
- carjacking;
- burglary of the first degree;
- arson as defined in PC §451;
- unlawfully causing a fire as defined in PC §452;
- forcible rape;
- sodomy or oral copulation committed with force;
- lewd or lascivious conduct committed upon a child;
- kidnapping as defined in PC §209 or §209.5;
- murder; or
- manslaughter.

The charged individual has a least two convictions during the preceding ten years for any felony listed below:

- grand theft;
- grand theft auto;
- receiving stolen property;
- robbery of the second degree;
- burglary of the second degree;
- kidnapping as defined in PC §207;
- assault with a deadly weapon, or instrument; or
- any unlawful act relating to controlled substances in violation of H&S Code §11351 or §11352.

The ten-year period specified above should be exclusive of any time, which the arrested person has served in state prison.

In applying the career criminal selection criteria set forth above:

A District Attorney may elect to limit career criminal prosecution efforts to persons arrested for any one or more of the felonies listed in subdivision (a) of this section if crime statistics demonstrate that the incidence of one or more of these felonies presents a particularly serious problem in the county.

b. Prosecution Discretion [PC §999(e)]

In exercising the prosecutorial discretion granted by §999g, the District Attorney shall consider the character, background, and prior criminal background of the defendant, and the number and the seriousness of the offenses currently charged against the defendant.

c. Departure from Selection Criteria Under Extraordinary Circumstances (PC §999g)

The selection criteria set forth in §999e shall be adhered to for each career criminal case unless, in the reasonable exercise of the prosecutor's discretion, extraordinary circumstances require the departure from such policies in order to promote the general purposes and intent of this chapter.

3. EAVP Component

The purpose of the EAVP component is to enhance or create specialized units to handle serious crimes against elderly and dependent adults, as defined in the Elder Abuse Statute, PC §368 and related statutes. Projects may fund part-time or full-time qualified deputy district attorneys and district attorney investigators to support this component purpose. Projects may also fully or partially fund positions contracted from other related agencies, such as Adult Protective Services.

This component emphasizes the vertical prosecution of all cases of elder and dependent adult victimization. Vertical prosecution increases the quality of the case, and results in the victim not having to revisit the pain and suffering as they tell their story to a series of prosecutors; it gives the victim the comfort of knowing whom to call in case of a problem, and also benefits prosecutors as they develop a rapport with, and the trust of, the victim.

a. Subjects of EAVP Efforts

PC §368 defines elder abuse as any willful act perpetrated against a person 65 years of age or older, or a dependent adult between the ages of 18 and 64 who has incapacitating physical or mental limitations, in which the elder or dependent adult is subjected to physical pain or mental suffering, or is knowingly permitted to suffer such that his or her person or health is endangered. This includes financial exploitation or fiduciary abuse by a caregiver or person in a position of trust.

The EAVP units receiving funds under this component shall concentrate prosecution efforts and resources on individuals that are accused of serious crimes against the elderly or dependent adults as defined in PC §368 and related statutes. Grant funded prosecutors and investigators must be exclusively assigned to prosecute violations of PC §368 and related statutes.

b. Coordination

If the project chooses to prosecute elder abuse and dependent adult cases, they must obtain a current, signed Operational Agreement (OA) with the OES funded Victim/Witness Assistance Program, and if applicable, the Special Emphasis/Special Victims Program and the Elder Abuse Advocacy and Outreach Program in their county. The project is also encouraged to seek OAs with other agencies which may provide services focused on elder abuse advocacy and outreach, such as the county Adult Protective Services Agency.

Projects must actively and regularly participate in their city's or county's elder abuse interagency task force. Documentation of participation must be kept by the project; meeting minutes identifying participants is the best method of documentation.

4. MNVP Component

The purpose of the MNVP component is to support increased efforts by county district attorney's offices to successfully prosecute and convict major drug offenders who commit serious felony violations of the California H&S and select PC sections, see PC §13880 - 13884. The purpose is further served by reducing major illegal drug activity by incapacitating offenders through confinement.

a. Subjects of MNVP Efforts

An individual may be the subject of the major narcotic vendor prosecution who is under arrest for the commission or attempted commission of one or more felonies relating to controlled substances in violation of H&S Code §11351, 11352, 11358, 11378, 11378.5, 11379, 11379.5 or 11383 .

In applying the major narcotic selection criteria set forth above:

A district attorney may, consistent with the provisions of subdivision (d) of PC §13881, elect to limit drug prosecution efforts to persons arrested for any one or more of the felonies listed in subdivision (a) if crime statistics demonstrate that the incidence of that felony or felonies presents a particularly serious problem in the county.

b. Prosecution Discretion

In exercising the prosecutorial discretion granted by this section, the District Attorney shall consider the character, background, and prior criminal background of the defendant and the number and the seriousness of the offenses currently charged against the defendant.

Projects choosing this component must ensure cases screened and prosecuted must be felonies as described in specific sections of the California H&S Code.

All criteria shall be adhered to unless, in the reasonable exercise of the prosecutor's discretion, extraordinary circumstances require the departure from those policies in order to promote the general purposes and intent of this component. This departure then must be described in writing in locally established policies.

5. SRVP Component

The goal of the SRVP Program is to increase vertical prosecution of adults having sexual intercourse with minors. Services are directed toward child victims under the age of 18, and when appropriate, to their families.

The service mandated by the SRVP Program is to vertically prosecute cases of unlawful sexual intercourse as defined under PC §261.5. Vertical prosecution has been shown to improve conviction rates, reduce trauma to victims, and provide more consistent, appropriate sentencing.

a. Subject of SRVP Efforts

Cases approved for appropriate filing are: prosecution of statutory rape – unlawful sexual intercourse with a minor; attempted statutory rape; a violation of probation involving a SRVP charge; and/or any activity that constitutes grooming of the victim for an eventual act of unlawful sexual intercourse and sexual assault cases in accordance with the intent of halting the exploitation of youth victims. Cases prosecuted under the

SRVP Program are not required to involve live or stillborn births, abortions, miscarriages, or pregnancy, although a SRVP project may elect to target these incidents.

Projects may focus resources on cases resulting in the most significant impact on the victim or society, (e.g., statutory rapist/fathers); cases resulting in multiple births; cases involving gang rituals; cases involving acquaintance rape; cases involving minors with physical or mental disability; cases involving prostitution/pimping; and cases involving alcohol or other drugs, including drug-exposed infants.

Cases appropriate for prosecution under the SRVP Program may involve female minors and male adult defendants, same sex minors and defendants, or adult female defendants engaging in unlawful sexual intercourse with minor males.

Investigation is encouraged by District Attorney's Offices to strengthen evidence in support of vertical prosecution of violation of appropriate crimes under the SRVP Program. Projects may budget part-time or full-time highly qualified investigators to provide these services in cases referred to the SRVP project unit.

b. Prosecution Discretion

The intent of the SRVP Program is to vertically prosecute adult offenders engaging in unlawful sexual intercourse as defined under PC §261.5. It is not the intent of the SRVP Program to subsidize prosecution of these cases for forcible rape or child molestation cases.

Misdemeanor vertical prosecution by project-funded staff is allowable in addition to, but not in lieu of, vertical prosecution of appropriate felony cases.

SRVP projects may, but are not required to, submit sentencing recommendations to the court that include a range of requirements for the defendant to be held accountable for his or her criminal actions. Examples of sentencing recommendations include, but are not limited to: five year felony probation, incarceration, registration pursuant to PC §290; restitution to be paid to the victim for damages incurred as a result of the crime; restitution to reimburse for counseling, medical, or relocation; restitution to the police for the cost of a forensic medical examination; or ordering defendant to cooperate with the Family Support Division by admitting paternity, stipulating to a support order, and participating in parenting classes.

c. Coordination

Victim services may be provided to minor victims and their families in cases accepted by the SRVP project unit. Projects may budget part-time or full-time victim advocate positions to provide these services to victims in cases prosecuted by SRVP project prosecutors. Such positions must be coordinated with the local Victim/Witness Assistance Center.

SRVP project-funded victim advocate services must support the prosecution effort. If an advocate position is not funded, all victims must be referred to a victim advocate, which includes a victim/witness advocate by definition per PC §679.04, which states all victims have a right to have an advocate and support person present during all stages of the proceedings.

To increase referrals of PC §261.5 cases for filing, projects should establish a collaborative relationship with local law enforcement, which includes a referral system, a system for exchange of information including updates in the law, and technical support for local law enforcement.

Presentations addressing statutory rape incidence and impact, related laws, and local SRVP project services are allowable. The intent of these presentations must be to increase referrals, strengthen service linkages, or reduce public misconceptions for the ultimate purpose of strengthening SRVP prosecution efforts. There are no restrictions on target audiences. Education and prevention programs (i.e., sex education and birth control, etc.) are not allowable.

G. PREPARING AN APPLICATION

Part IV - Forms includes an Application Cover Sheet. Please complete the Application Cover Sheet and attach it to the front of the application.

Please provide the nine required application components in the order listed below:

- Application Cover Sheet;
- Grant Award Face Sheet (OES A301);
- Project Contact Information;
- Signature Authorization and Instructions;
- Certification of Assurance of Compliance
- Project Narrative;
- Budget Narrative and the Project Budget (OES A303a-c);
- Project Service Information; and

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**VERTICAL PROSECUTION BLOCK GRANT PROGRAM
REQUEST FOR APPLICATION**

PART II – INSTRUCTIONS

The instructions in this section correspond to each of the application components and to the forms required to complete the application.

The applicant must use the forms provided in *Recipient Handbook, Appendices, and Forms* ([FORMS](#)) and plain 8½" x 11" white paper for the application. The blank Project and Budget Narrative pages on the website have been pre-formatted to OES standards. If you create your own computer-generated Project and Budget pages, the format must duplicate the OES pre-formatted pages.

Copies of the application must be assembled separately and individually fastened in the upper left corner. ***Do not bind application.***

A. PROJECT NARRATIVE

The project narrative is the main body of information describing the problem to be addressed, the plan to address the problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the plan.

1. Problem Statement

This section addresses the problem and the need for services offered by the Vertical Prosecution Block Program. The following outlines the items which must be addressed in the Problem Statement; this information must be provided in narrative form:

Provide a community profile of the service area which justifies the need for vertical prosecution of one or more of the five program components, describing the following:

For all projects:

- the geographic size and location;
- the population size;
- weakness of the current resources that may be enhanced by the project; and
- collaborative efforts in the county to combat the problem.

Plus

CAVP:

- The prevalence of and types of child abuse, including children with disabilities, sexual abuse, physical abuse, neglect, children whose lives are victimized by parental substance abuse, and high tech crimes against children.

CCP:

- Describe the problem of identifying, investigating, and prosecuting career criminals.

EAVP:

- Describe the problem of elder and dependent adult abuse to be addressed by the project; and
- Describe the elder and dependent adult population in the county.

MNVP:

- Describe the problems associated with prosecuting major narcotic vendors in the county, (e.g., cultivation, processing, manufacturing, distribution, trafficking, and sales); and
- Provide statistical information that supports a **significant increase** in major narcotic vendor cases in the county.

SRVP:

- Describe the problem of identifying, investigating, and prosecuting crimes of unlawful sexual intercourse with a minor.

2. Plan and Implementation

Plan: This section addresses the applicant's plan to prosecute cases in the applicant's service area.

a. Enhanced Prosecution

- Describe the process in which cases are referred to the unit, including the source of referrals.
- Describe the project's strategies to develop linkages to increase the number of cases referred.
- Describe how the applicant will implement vertical prosecution within the unit.
- Describe how the project will ensure all victims are referred to appropriate victim service agencies. All referrals will be initiated in writing within seven days of charging the case, or receiving the case into the unit, whichever comes first.
- Describe how the project will maintain close contact with the victim (or family/guardian).

b. Highly Qualified Staff

- Describe the experience and training of all project staff.

c. Average Caseload

- Provide the average caseload for felony prosecutors and investigators in nonvertical prosecution efforts in 2005.
- Describe how the applicant will calculate the average caseload for project investigators and prosecutors.

Implementation:

This section of the proposal should address the applicant's ability to implement the project. Provide a narrative statement addressing the topics described below.

Objectives and Activities: In this section, the applicant should describe and explain the project's plan to address each of the three mandated objectives. For each objective, provide a quantified estimate of the services to be provided (use a whole number only, does not use, for example, "between 5-20"). Also provide a brief overview of the manner in which these

objectives will be achieved, including the activities to be performed to support services.

- Be reasonable to achieve within the third year of operation.
- Show sufficient staff to achieve the stated objective and activities.
- Describe the source documentation collected and maintained to measure results.
- Demonstrate proof of successful objective measurement (source documentation is defined as records used to validate project activities and achievements as they pertain to the objectives' outlines, e.g., intake logs, client files, progress notes, attendance rosters, sign-in sheets, etc.).

Objective 1: Cases Accepted

This objective refers to the number of referred cases, which will be accepted by the unit.

For each program component you choose to implement, provide the number of cases referred and accepted.

The estimated number of cases referred to the unit is _____. The estimated number of cases accepted by the unit is _____.

Describe the source documentation to be used to collect and report data on each objective. Source documentation may include case files, client contact sheets, telephone logs, progress files and other related documents.

Objective 2: Vertical Prosecution

This objective refers to the percent of defendants who will be vertically prosecuted by the unit under true vertical prosecution, major stage prosecution, or unit vertical prosecution.

For each program component you choose to implement, provide the percent of defendants who will be vertically prosecuted using the following methods.

Prosecute _____% of defendants using True Vertical Prosecution.

Prosecute _____% of defendants using Major Stages Vertical Prosecution.

Prosecute _____% of defendants using Unit Vertical Prosecution.

Describe the source documentation to be used to collect and report data on each objective. Source documentation may include case files, client contact sheets, telephone logs, progress files and other related documents.

Objective 3: Average Caseload

This objective refers to the estimated average yearly caseload for investigators and prosecutors.

For each program component you choose to implement, provide the average caseload of vertical and non-vertical prosecutors and investigators.

The estimated average yearly caseload for the investigator is _____. The estimated average yearly caseload for the prosecutor is _____.

The estimated average yearly caseload for non-vertical prosecution investigators is _____. The estimated average yearly caseload for non-vertical prosecution prosecutors is _____.

Describe the source documentation to be used to collect and report data on each objective. Source documentation may include case files, client contact sheets, telephone logs, progress files, and other related documents.

B. PROJECT BUDGET

The purpose of the project budget is to demonstrate how the applicant will implement the proposed plan with the funds available through this program. Project costs must be directly related to the objectives and activities of the project. The budget must cover the entire grant period. In the budget, include **only** those items covered by grant funds, including match funds when applicable. The applicant may supplement grant funds with funds from other sources. However, since approved line items are subject to audit, the applicant should not include in the project budget matching funds (if applicable) in excess of the required match. Budgets are subject to OES modifications and approval.

OES requires the applicant to develop a **line item** budget which will enable the project to meet the intent and requirements of the program, ensure the successful and cost effective implementation of the project. Failure of the applicant to include required items in the budget does not eliminate responsibility to comply with those requirements during the implementation of the project. The applicant should refer to the *Recipient Handbook* at www.oes.ca.gov. Select "*Recipient Handbook, Appendices, and Forms*" for additional information concerning OES budget policy or to determine if specific proposed expenses are allowable. Contact the person listed on page 1-subsection B of this RFA should you have additional budget questions.

1. Budget Narrative

The applicant is required to submit a narrative with the project budget. The narrative must be typed and placed in the application in front of the budget pages. In the narrative describe:

- How the applicant's proposed budget supports the objectives and activities.
- How funds are allocated to minimize administrative costs and support direct services.
- The duties of project-funded staff, including qualifications or education level necessary for the job assignment. This does not take the place of the brief justification required in the line item budget.
- How project-funded staff duties and time commitments support the proposed objectives and activities.
- Proposed staff commitment/percentage of time to other efforts, in addition to this project.
- The necessity for subcontracts and unusual expenditures.
- Mid-year salary range adjustments.

2. Specific Budget Categories

There is an Excel Workbook in *Recipient Handbook, Appendices and Forms* ([FORMS](#)) with spreadsheets for each of the following three budget categories:

- Personal Services – Employee Salaries/Benefits;
- Operating Expenses; and
- Equipment.

The left column of each budget category on the Spreadsheet requires line item detail including the calculation and justification for the expense. Enter the amount of each line item and match in the correct column of the Budget Category form. The spreadsheet will add each addition and round off the nearest whole dollar. You may add extra rows if necessary, the spreadsheets total at the end of each budget category and total the three spreadsheets at the bottom of the last page (Equipment). The total of the budget including each funding source and/or match amount must correspond to the amount of the Total Project Cost (Block 10G) on the Grant Award Face Sheet.

OR

Each budget category requires line item detail including the method of calculation and justification for the expense. Enter the amount of each line item in the right hand column of the Budget Category form. Charges must be clearly documented **and rounded up to the nearest whole dollar**. Enter the total amount of the budget category at the bottom of the form. If additional pages are needed, total only the last page of each budget category. The total of the budget including each funding source and/ or match amount must correspond to the amount of the Total Project Cost (block 10G) on the Grant Award Face Sheet. Additionally, the totals from each funding source or match must correspond to the Grant Award Face Sheet.

The bottom of the Equipment Category form contains a format for identifying the project total and fund distribution. This section must be completed and submitted even if there are no line items identified in the equipment category.

a. **Personal Services – Salaries/Employee Benefits (OES A303a):**

1) Salaries

Personal services include services performed by project staff directly employed by the applicant and must be identified by position and percentage of salaries. These may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must be budgeted as salaries. If the applicant's personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds. Salaries for staff not directly employed by the applicant must be shown as participating staff (see *Recipient Handbook*, Section 4500) the Operational Expenses Category. Consultant services remain under Operating Expenses (refer to Part II, B.2.b. - Operating Expenses - paragraph two.)

2) Benefits

Employee benefits must be identified by type and percentage of salaries. The applicant may use fixed percentages of salaries to calculate benefits. Budgeted benefits cannot exceed those already established by the applicant.

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues, are allowable budget items if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 clerical positions).

b. **Operating Expenses (OES A303b):**

Operating expenses are defined as necessary expenditures other than personal salaries, benefits, and equipment. Such expenses may include specific items directly charged to the project, and in some cases, when permitted by the funding source, an indirect cost allowance. The expenses must be grant-related (e.g., to further the program objectives as defined in the grant award), and be encumbered during the grant period.

The following items fall within this category: consultant services such as subcontractors, participating staff who are not employed by the applicant, travel, office supplies, training materials, research forms, equipment maintenance, software equipment rental/lease, telephone, postage, printing, facility rental, vehicle maintenance, answering service fees, and other consumable items. Furniture and office equipment with an acquisition cost of less than \$5,000 per unit (including tax, installation, and freight) and/or with a useful life of less than one year fall within this category. Otherwise these call under equipment expenses.

Salaries for staff not directly employed by the applicant must be shown as consultant and/or participating staff costs (whichever is applicable per *Recipient Handbook* Sections 3710 and 4500) under the Operating Expenses category. These costs must be supported by an Operational Agreement (OA), which must be kept on file by the recipient and made available for review during an OES site visit, monitoring visit, or audit. In the case of grants being passed through a recipient to be operated by another agency, the staff from the second agency will be shown in the Operating Expenses category.

c. **Equipment (OES A303c):**

Equipment is defined as nonexpendable tangible personal property having **a useful life of more than one year** and an acquisition cost of \$5,000 or more per unit (including tax, installation, and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers must be one line item, not three).

C. **APPLICATION APPENDIX**

The Application Appendix provides OES with additional information from the applicant to support components of the application. The following must be included:

- Operational Agreements: *OAs must contain original signatures, titles, and agency names for both parties and include dates effective for the proposed grant period.* This document must demonstrate a formal system of networking and coordination with other agencies and the applicant. A sample OA is provided in *Recipient Handbook, Appendices, and Forms* ([FORMS](#)).
- Project Summary

2007/08 Funding Allocation

County	06/07 Funding Allocation	07/08 Funding Allocation
Alpine	\$ 76,722	\$ 76,722
Modoc	\$ 89,538	\$ 89,538
Mono	\$ 86,070	\$ 86,070
San Benito	\$ -	\$ 36,913
Trinity	\$ 106,159	\$ 106,159
Mariposa	\$ 77,123	\$ 77,123
Inyo	\$ 65,000	\$ 65,000
Colusa	\$ 126,983	\$ 117,345
Plumas	\$ 99,057	\$ 99,057
Glenn	\$ 106,867	\$ 98,867
Del Norte	\$ 105,699	\$ 105,699
Lassen	\$ 99,057	\$ 99,057
Amador	\$ 125,041	\$ 125,041
Calaveras	\$ 99,057	\$ 99,057
Siskiyou	\$ 108,695	\$ 99,057
Tuolumne	\$ 131,776	\$ 122,139
Tehama	\$ 99,057	\$ 99,057
Lake	\$ 276,035	\$ 276,035
Yuba	\$ 169,501	\$ 169,501
Sutter	\$ 122,067	\$ 122,067
Mendocino	\$ 99,057	\$ 99,057
Nevada	\$ 104,033	\$ 104,033
Humboldt	\$ 146,981	\$ 146,981
Napa	\$ 125,041	\$ 125,041
Madera	\$ 99,057	\$ 99,057

Kings	\$ 146,981	\$ 146,981
Imperial	\$ 275,809	\$ 275,809
El Dorado	\$ 146,981	\$ 146,981
Shasta	\$ 301,049	\$ 301,049
Yolo	\$ 301,205	\$ 301,205
Butte	\$ 146,981	\$ 146,981
Merced	\$ 269,303	\$ 269,303
Marin	\$ 99,057	\$ 99,057
Santa Cruz	\$ 122,061	\$ 122,061
San Luis Obispo	\$ 146,981	\$ 146,981
Placer	\$ 179,461	\$ 179,461
Tulare	\$ 494,413	\$ 494,413
Santa Barbara	\$ 146,981	\$ 146,981
Solano	\$ 444,519	\$ 444,519
Monterey	\$ 351,435	\$ 351,435
Sonoma	\$ 316,079	\$ 316,079
Stanislaus	\$ 350,213	\$ 350,213
San Joaquin	\$ 549,315	\$ 549,315
San Mateo	\$ 146,981	\$ 146,981
Kern	\$ 493,355	\$ 493,355
San Francisco	\$ 550,353	\$ 550,353
Ventura	\$ 181,363	\$ 181,363
Fresno	\$ 385,491	\$ 385,491
Contra Costa	\$ 523,433	\$ 523,433
Sacramento	\$ 560,263	\$ 560,263
Alameda	\$ 807,895	\$ 807,895
Santa Clara	\$ 436,083	\$ 436,083

Riverside	\$ 740,673	\$ 740,673
San Bernardino	\$ 812,611	\$ 812,611
San Diego	\$ 830,009	\$ 830,009
Orange	\$ 798,379	\$ 798,379
Los Angeles	\$ 1,376,614	\$ 1,376,614
TOTAL	\$ 16,176,000	\$ 16,176,000